



ANNO VICESIMO NONO

**ELIZABETHAE II REGINAE**

A.D. 1980

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**No. 88 of 1980****An Act to amend the Local Government Act, 1934-1980.***[Assented to 4 December 1980]*

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

**Short titles.**

1. (1) This Act may be cited as the "Local Government Act Amendment Act (No. 2), 1980".

(2) The Local Government Act, 1934-1980, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Local Government Act, 1934-1980".

**Commence-  
ment.**

2. (1) This Act shall come into operation on a day to be fixed by proclamation.

(2) The Governor may, in a proclamation made for the purposes of subsection (1), suspend the operation of any specified provisions of this Act until a subsequent day fixed in the proclamation, or a day to be fixed by subsequent proclamation.

**Amendment of  
s. 5—  
Interpretation.**

3. Section 5 of the principal Act is amended—

(a) by inserting in subsection (1) after the definition of "Crown lands" the following definition:

"deputy returning officer" means a person appointed under section 102 to be a deputy returning officer of the council;

(b) by inserting in subsection (1) after the definition of "pave" the following definition:

"presiding officer" means a person appointed under section 111 to be a presiding officer of the council and includes the returning officer or a deputy returning officer;

(c) by striking out from subsection (1) the definition of "returning officer" and substituting the following definition:

"returning officer" means the person appointed under section 102 to be the returning officer of the council and includes a

deputy returning officer while exercising or performing any of the powers, duties or functions of the returning officer;;

and

(d) by inserting after subsection (10) the following subsection:

(11) Where a member of a council in office at the commencement of the Local Government Act Amendment Act (No. 2), 1980, would, under the provisions of this Act as in force before that commencement, have been required to vacate his office on the first Saturday in July in any year, the member shall, subject to this Act, be entitled to continue in office until the first Saturday in October in that year.

4. Section 8 of the principal Act is amended by striking out from subsection (2) the word "ratepayers" and substituting the word "electors".

Amendment of s. 8—  
General powers of Governor to adjust rights, etc.

5. Section 57 of the principal Act is amended by striking out from subsection (1) the passage "before the first Saturday in July in any year upon which" and substituting the passage "of the time when".

Amendment of s. 57—  
Vacancy occurring three months before election.

6. Section 65 of the principal Act is amended by striking out from paragraph (a) of subsection (2) the passage "for that financial year".

Amendment of s. 65—  
First meeting of council.

7. Section 77 of the principal Act is amended by striking out the word "July" and substituting the word "October".

Amendment of s. 77—  
Election of aldermen.

8. Section 79 of the principal Act is amended by striking out from subsection (1) the word "July", twice occurring, and substituting, in each case, the word "October".

Amendment of s. 79—  
Mode of retirement of first aldermen.

9. Section 84 of the principal Act is amended—

(a) by inserting after subsection (1) the following subsections:

Amendment of s. 84—  
Appointment and qualification of auditors.

(1aa) The council shall appoint its auditor at the first meeting of the council after the conclusion of each annual election.

(1ab) Where an area is newly constituted or two or more areas are united, the council for the new area shall appoint its auditor at the first meeting of the council after the constitution of the area or union of the areas.;

(b) by striking out subsection (2);

and

(c) by striking out subsection (4) and substituting the following subsection:

(4) Every auditor shall hold office until the first meeting of the council after the conclusion of the annual election next occurring after his appointment.

Amendment of  
s. 86a—  
Appointment of  
auditor on  
failure to  
appoint by  
council.

**10. Section 86a of the principal Act is amended—**

- (a) by striking out from subsection (3) the passage “thirty-first day of August” and substituting the passage “first meeting of the council after the conclusion of the annual election”;
- and
- (b) by striking out subsection (5).

Insertion of  
new s. 87.

**11. The following section is inserted after section 86a of the principal Act:**

Powers, etc.,  
continue  
beyond term  
of office  
for purpose of  
completing  
audit.

87. Where the auditor for an area has not, before the expiration of his term of office as auditor, completed the audit of the accounts of the council for the preceding financial year, he shall, notwithstanding the provisions of this Act or the appointment of any other person to the office, complete the audit and for that purpose continue to have the powers, rights, duties and authorities of an auditor.

Amendment of  
s. 102—  
Appointment of  
returning officer  
and deputy  
returning  
officers.

**12. Section 102 of the principal Act is amended—**

- (a) by striking out subsection (1) and substituting the following subsection:

(1) The council shall at the first meeting of the council after the conclusion of each annual election appoint a returning officer and one or more deputy returning officers.;

- (b) by inserting in subsection (1a) after the passage “returning officer” the passage “or any deputy returning officer”;

- (c) by inserting in subsection (1b) after the passage “returning officer”, wherever it occurs, in each case, the passage “or a deputy returning officer”;

- (d) by striking out subsection (1c) and substituting the following subsection:

(1c) A person appointed to be the returning officer or a deputy returning officer shall hold office until the first meeting of the council after the conclusion of the annual election next occurring after his appointment unless he earlier ceases to hold the office and shall be eligible for re-appointment.;

- (e) by inserting in subsection (1d) after the passage “returning officer” the passage “or a deputy returning officer”;

and

- (f) by striking out subsection (2) and (3) and substituting the following subsection:

(2) Neither the returning officer nor any deputy returning officer shall be eligible as a candidate for election to the council while holding office as returning officer or deputy returning officer.

Repeal of  
s. 103 and  
substitution  
of new section.

**13. Section 103 of the principal Act is repealed and the following section is substituted:**

Powers, etc.,  
of deputy  
returning  
officers.

103. (1) A deputy returning officer may exercise or perform any of the powers, duties or functions of the returning officer, and where any

power, duty or function is expressed to depend upon the discretion or state of mind of the returning officer, it may be exercised or performed by the deputy returning officer according to his discretion or state of mind.

(2) A deputy returning officer shall, in exercising or performing any of the powers, duties or functions of the returning officer, be subject to the general control and direction of the returning officer.

**14.** Section 104 of the principal Act is amended by striking out from subsection (1) the passage "second Friday in May" and substituting the passage "first Friday in September".

Amendment of  
s. 104—  
Day of  
nomination.

**15.** Section 105 of the principal Act is amended by striking out the passage "or deputy returning officer" wherever it occurs.

Amendment of  
s. 105—  
Form of  
nomination, etc.

**16.** Section 106 of the principal Act is amended—

Amendment of  
s. 106—  
Proceedings of  
nominations.

(a) by striking out from paragraph I the passage "or deputy returning officer";

(b) by striking out from paragraph II the word "July" and substituting the word "October";

and

(c) by striking out from paragraph III the word "July" and substituting the word "October".

**17.** Section 107 of the principal Act is amended by striking out from subsection (1) the passage "or deputy returning officer".

Amendment of  
s. 107—  
Notice of  
adjournment.

**18.** Section 108 of the principal Act is amended by striking out from subsection (3) the passage "or deputy returning officer".

Amendment of  
s. 108—  
Provisions as  
to polling-  
places.

**19.** Section 111 of the principal Act is amended—

Amendment of  
s. 111—  
Power of  
returning  
officer to  
appoint  
presiding  
officers.

(a) by striking out subsection (1) and substituting the following subsection:

(1) The returning officer may appoint a person to be a presiding officer to preside and take votes for him at a polling-place.;

(b) by striking out from subsection (2) the passage "deputy returning officer" and substituting the passage "presiding officer";

(c) by striking out from subsection (3) the passage "or deputy returning officer";

(d) by striking out subsection (4);

and

(e) by striking out from subsection (5) the passage "deputy returning officer" and substituting the passage "presiding officer".

Amendment of  
s. 112—  
Election to  
be held before  
returning  
officer, his  
deputy or  
presiding  
officer.

**20.** Section 112 of the principal Act is amended by striking out the passage “or deputy returning officer” and substituting the passage “or any other presiding officer”.

Repeal of  
s. 113 and  
substitution  
of new section.

**21.** Section 113 of the principal Act is repealed and the following section is substituted:

Scrutineers.

113. (1) Each candidate may appoint, in writing, one or more scrutineers for each polling-place.

(2) Where a candidate appoints more than one scrutineer for a polling-place, no more than one of them shall be present in the polling-booth at the same time during the poll.

Amendment of  
s. 114—  
Who may be  
present in  
polling-booth.

**22.** Section 114 of the principal Act is amended by striking out the passage “returning officer or deputy returning officer”, twice occurring, and substituting, in each case, the passage “presiding officer”.

Amendment of  
s. 119—  
Exhibiting of  
ballot-boxes.

**23.** Section 119 of the principal Act is amended by striking out the passage “returning officer or deputy returning officer” and substituting the passage “presiding officer”.

Amendment of  
s. 120—  
Proceedings on  
day of  
election.

**24.** Section 120 of the principal Act is amended—

- (a) by striking out from paragraph I the passage “the returning officer or a deputy returning officer” and substituting the passage “a presiding officer”;
- (b) by striking out from paragraph IV the passage “an authorized officer” and substituting the passage “the presiding officer or a poll clerk authorized by the presiding officer”;
- (c) by striking out from paragraph V the passage “returning officer or deputy returning officer or any poll clerk authorized by the returning officer or deputy returning officer” and substituting the passage “presiding officer or poll clerk so authorized”;
- (d) by striking out from paragraph VI the passage “returning officer, or the initials of the deputy returning officer presiding at the polling-place” and substituting the passage “presiding officer”;
- (e) by striking out from paragraph VIII the passage “returning officer or deputy returning officer” and substituting the passage “presiding officer”.

and

- (f) by striking out from paragraph VIII the passage “returning officer, or deputy returning officer” and substituting the passage “presiding officer”.

Amendment of  
s. 122—  
Inquiries which  
may be made  
of voter.

**25.** Section 122 of the principal Act is amended—

- (a) by striking out from subsection (1) the passage “returning officer or deputy returning officer” and substituting the passage “presiding officer”;

and

- (b) by striking out from subsection (4) the passage “returning officer or deputy returning officer” and substituting the passage “presiding officer”.

**26. Section 123 of the principal Act is amended—**

Amendment of  
s. 123—  
Powers of  
presiding  
officers.

- (a) by striking out from subsection (1) the passage “returning officer and deputy returning officer” and substituting the passage “presiding officer”;

and

- (b) by striking out from subsection (2) the passage “returning officer or deputy returning officer” and substituting the passage “presiding officer”.

**27. Section 126 of the principal Act is amended—**

Amendment of  
s. 126—  
Count of voting  
papers by  
presiding  
officer.

- (a) by striking out from paragraph I the passage “deputy returning officer” and substituting the passage “presiding officer”;

- (b) by striking out from paragraph II the passage “deputy returning officer” and substituting the passage “presiding officer”;

- (c) by striking out from paragraph III the passage “deputy returning officers” and substituting the passage “presiding officers”;

and

- (d) by striking out from paragraph VI the passage “the deputy returning officer” and substituting the passage “deputy returning officers and other presiding officers”.

**28. Section 127 of the principal Act is amended—**

Amendment of  
s. 127—  
Counting of  
votes by  
returning  
officer.

- (a) by striking out from paragraph I the passage “deputy returning officer” and substituting the passage “presiding officer”;

and

- (b) by striking out from paragraph III the passage “the deputy returning officer” and substituting the passage “deputy returning officers and other presiding officers”.

**29. Section 129 of the principal Act is amended by striking out subsection (2) and substituting the following subsection:**

Amendment of  
s. 129—  
Officers' votes.

- (2) A deputy returning officer (unless he is acting in the place of the returning officer) or any other presiding officer may vote at any election in the same manner as if he had not been appointed to such office.

**30. Section 134 of the principal Act is amended by inserting in subsection (1) after the passage “deputy returning officer”, twice occurring, in each case, the passage “or other presiding officer”.**

Amendment of  
s. 134—  
Provision in  
event of  
impediments  
of a formal  
nature.

**31. Section 137 of the principal Act is amended—**

Amendment of  
s. 137—  
Proceedings on  
supplementary  
election.

- (a) by striking out from subsection (3) the word “July”, wherever it occurs, and substituting, in each case, the word “October”;

and

- (b) by striking out from subsection (4) the word “July”, twice occurring, and substituting, in each case, the word “October”.

Amendment of  
s. 156—  
Proceedings  
at meetings  
of council.

32. Section 156 of the principal Act is amended by striking out the passage “paragraph (36)” and substituting the passage “subparagraph I of paragraph 1 of subsection (1)”.

Amendment of  
s. 157—  
Appointment,  
removal and  
salaries of  
officers.

33. Section 157 of the principal Act is amended—

(a) by striking out from paragraph (b) of subsection (1) the passage “; the person so appointed shall hold the qualifications prescribed for engineers by the regulations under paragraph (f) of section 691”;

(b) by inserting after subsection (1) the following subsection:

(1aa) A person shall not be appointed to any office under this section unless he holds the educational and professional qualifications prescribed by regulation in relation to the office or the Minister has approved his appointment.;

(c) by inserting in paragraph (a) of subsection (9) before the passage “long service leave”, twice occurring, in each case, the passage “sick leave or”;

(d) by striking out paragraph (b) of subsection (9) and the word “and” occurring immediately before that paragraph;

(e) by inserting in subsection (9b) after the passage “that other council” the passage “, unless the employee enters into other employment during that intervening period”;

(f) by inserting in subsection (10) after the passage “Where a council grants” the passage “sick leave or”;

(g) by striking out from subsection (10) the passage “agreed upon by the councils, or, in the event of a dispute, determined on the application of a council concerned in the dispute by the Minister” and substituting the passage “determined in accordance with the regulations”;

(h) by striking out from subsection (11) the passage “and other rights in respect of employment” and substituting the passage “or sick leave”;

(i) by striking out from subsection (12b) the passage “and other rights in respect of employment” and substituting the passage “or sick leave”;

and

(j) by inserting after subsection (14) the following subsection:

(15) The amendments relating to sick leave effected to this section by the Local Government Act Amendment Act (No. 2), 1980, apply to any employee of a council in that employment after the commencement of that Act in relation to his employment with that council or any other council whether occurring before or after that commencement.

Amendment of  
s. 167—  
Rights of  
persons  
interested to  
take extracts  
from  
assessment-  
book.

34. Section 167 of the principal Act is amended—

(a) by striking out the passage “a fee of ten cents for every extract” and substituting the passage “the prescribed fee”;

and

(b) by inserting after its present contents as amended by this section (now to be designated as subsection (1)) the following subsection:

(2) The Governor may make regulations fixing a fee or scale of fees for the supply of an extract or extracts from the assessment-book.

35. Section 173 of the principal Act is amended by striking out from subsection (1) the passage "entering upon office, and thereafter for the purposes of" and substituting the passage "the commencement of".

Amendment of s. 173—  
Duty of council to make assessment.

36. Section 214 of the principal Act is amended—

(a) by striking out from subsection (1) the passage ", at any time";

(b) by inserting after subsection (1) the following subsection:

(1a) The declaration by the council of a general rate or differential general rates for a financial year shall be made before the thirty-first day of August occurring in that financial year or within such further period as the Minister may allow the council.;

Amendment of s. 214—  
Power to declare general rate.

and

(c) by striking out from subsection (4) the passage "No more than one general rate shall be declared" and substituting the passage "Differential general rates shall not be declared".

37. Section 218 of the principal Act is repealed and the following section is substituted:

218. A memorial may be addressed to the council requesting that specific works be carried out by the council for the benefit of a specific portion of the area.

Repeal of s. 218 and substitution of new section.  
Memorial for specific works.

38. Section 220 of the principal Act is amended by inserting before its present contents (now to be designated as subsection (2)) the following subsection:

(1) The memorial shall be signed by a majority of the electors for the portion of the area defined in the memorial.

Amendment of s. 220—  
Number of signatories to and verification of memorial.

39. Section 287 of the principal Act is amended—

(a) by striking out paragraph (f6) of subsection (1) and substituting the following paragraph:

(f6) subscribing to, or providing equipment for—

(i) the Royal Life Saving Society;

or

(ii) any Surf Life Saving Club within or outside the area that provides directly or indirectly for the needs of the inhabitants of the area;

(b) by striking out from paragraph (f7) of subsection (1) the passage "the area of the council" and substituting the passage "or outside the area if the council is satisfied that the library provides directly or indirectly for the needs of the inhabitants of the area";

and

Amendment of s. 287—  
Expenditure of revenue.



(c) by inserting in subsection (1) after paragraph (i1) the following paragraph:

(i2) contributing towards the provision of motor omnibus services for the transport of passengers for hire or otherwise;

Insertion of  
new s. 344b.

40. The following section is inserted after section 344a of the principal Act:

Councils may  
bear part of  
cost of  
constructing  
or repairing  
private  
streets and  
roads.

344b. Notwithstanding the provisions of sections 342, 343 or 344a of this Act, the council may by resolution resolve to bear a proportion of the expenses that will be incurred by the council in carrying out any works under any of those sections and, where the council so resolves, the provisions of that section shall apply in relation to the part of the expenses that is not to be borne by the council as if it were the full amount of the expenses.

Amendment of  
s. 383—  
Works and  
undertakings.

41. Section 383 of the principal Act is amended by inserting in subsection (1) after paragraph XXI the following paragraph:

XXIa. Provide motor omnibus services for the transport of passengers for hire or otherwise;

Amendment of  
s. 435—  
Power to  
submit scheme  
relating to  
work, under-  
taking, services  
or facilities.

42. Section 435 of the principal Act is amended—

(a) by striking out paragraph (a) of subsection (1) and substituting the following paragraph:

(a) the execution, provision, continuation or maintenance by the council of any specified work, undertaking, services or facilities;;

(b) by striking out from subsection (1) the passage “is or are such as might be executed” and substituting the passage “might be or have been executed, provided”;

(c) by inserting after subsection (1) the following subsection:

(2) A scheme for the provision, continuation or maintenance of services or facilities may authorize the council to impose charges or receive donations in respect of the services or facilities and may make provision for the manner in which the council may deal with or expend moneys received from such charges or donations;

and

(d) by inserting after subsection (5) the following subsection:

(5aa) Where an authorized scheme provides for the provision or the continuation or maintenance of services or facilities for the use or enjoyment of aged, handicapped or infirm persons that might be or have been provided under section 287b, the provisions of that section shall not apply or shall cease to apply, as the case may be, to or in relation to the services or facilities provided or continued or maintained under the authorized scheme.

- 43.** Section 468 of the principal Act is amended—
- Amendment of  
s. 468—  
Confirmation  
of exchange.
- (a) by striking out from subsection (2) the passage “, who shall submit them to the Governor”;
- and
- (b) by striking out subsection (3) and substituting the following subsection:
- (3) The Minister of Lands may within six months after the date of the order confirm the order and thereupon one duplicate shall be returned to the council and the other shall be retained by the Minister of Lands.
- 44.** Section 469 of the principal Act is amended by striking out from paragraph (c) the word “Governor” and substituting the passage “Minister of Lands”.
- Amendment of  
s. 469—  
Voiding of  
agreement.
- 45.** Section 500 of the principal Act is amended by inserting after its present contents (now to be designated as subsection (1)) the following subsection:
- Amendment of  
s. 500—  
Charges for  
gas or  
electricity.
- (2) The council may, before or after commencing to supply gas or electricity to any person, require that person to pay to the council an amount fixed by the council or by by-law (not exceeding in any case any limits which may be fixed by the Governor by regulation) as security for payment of the charges for supplying gas or electricity to that person.
- 46.** The following section is inserted after section 536a of the principal Act:
- Insertion of  
new s. 536b.
- 536b. The occupier, or if unoccupied, the owner of any private street, road, square, lane, footway, court, alley or thoroughfare that the public are allowed to use and that is situated within any municipality or any township within any district shall keep such area clean and free of refuse of any kind.
- Private  
streets, etc.,  
to be kept  
clean by  
occupiers  
or owners.
- Penalty: Two hundred dollars.
- 47.** Sections 542 and 543 of the principal Act are repealed and the following section is substituted:
- Repeal of  
ss. 542 and  
543 and  
substitution  
of new  
section.
542. A municipal council shall keep every public place within the municipality clean and free of refuse of any kind.
- Duty of  
municipal  
councils  
to keep  
public places  
clean.
- 48.** Section 665 of the principal Act is amended by striking out subsection (1) and substituting the following subsections:
- Amendment of  
s. 665—  
Drainage across  
footways.
- (1) The council may, in any case in which it is of the opinion that as a result of building or other works carried out on any land water drains or is likely to drain from that land across any footway (whether directly or indirectly across any other land), by notice in writing require the owner of the land to construct a drain (which may be constructed under any footway) to conduct the water into any water-table or drain in or under any street or road.
- (1a) A notice under subsection (1) may require two or more owners to combine in the construction of a common drain.

Amendment of  
s. 721—  
Differences  
between  
councils.

**49. Section 721 of the principal Act is amended—**

- (a) by inserting in subsection (1) after the word “Minister” the passage “or a person appointed by the Minister”;
- (b) by inserting in subsection (2) after the word “Minister” the passage “or person appointed by the Minister”;
- and
- (c) by inserting in subsection (3) after the word “Minister” the passage “or person appointed by the Minister”.

Amendment of  
s. 778a—  
Improperly  
interfering  
with council  
property.

**50. Section 778a of the principal Act is amended by striking out the passage “ten dollars” and substituting the passage “two hundred dollars”.**

**51. Section 801 of the principal Act is amended—**

Amendment of  
s. 801—  
Power of  
returning  
officer to  
appoint  
presiding  
officers to  
preside at  
polling-places.

- (a) by striking out from subsection (1) the passage “deputy returning officer” and substituting the passage “presiding officer”;
- (b) by striking out from subsection (2) the passage “deputy returning officer” and substituting the passage “presiding officer”;
- (c) by striking out subsection (3) and substituting the following sub-section:

(3) The returning officer may appoint any poll clerks  
clerks necessary for the purposes of the poll.;

and

- (d) by striking out from subsection (4) the passage “deputy returning officers” and substituting the passage “presiding officers”.

Amendment of  
s. 802—  
Poll to be held  
before a  
presiding  
officer.

**52. Section 802 of the principal Act is amended by striking out the passage “the returning officer or deputy returning officer” and substituting the passage “a presiding officer”.**

Amendment of  
s. 811—  
Exhibiting of  
ballot-boxes.

**53. Section 811 of the principal Act is amended by striking out the passage “returning officer or deputy returning officer” and substituting the passage “presiding officer”.**

Amendment of  
s. 812—  
Person allowed  
in  
polling-booth.

**54. Section 812 of the principal Act is amended by striking out the passage “returning officer or deputy returning officer”, twice occurring, and substituting, in each case, the passage “presiding officer”.**

Amendment of  
s. 813—  
Voting.

**55. Section 813 of the principal Act is amended—**

- (a) by striking out subsection (1) and substituting the following sub-section:

(1) Every person entitled to vote shall—

- (a) present himself to the presiding officer or any poll clerk authorized by the presiding officer at the polling-place where the person claims to vote;

and

- (b) state his full name, place of residence, and occupation.;

(b) by striking out from subsection (2) the passage "returning officer, or deputy returning officer, or any poll clerk authorized by the returning officer or deputy returning officer" and substituting the passage "presiding officer or any poll clerk so authorized";  
and

(c) by striking out from subsection (3) the passage "returning officer or the initials of the deputy returning officer" and substituting the passage "presiding officer".

**56.** Section 820 of the principal Act is amended by striking out from subsection (1) the passage "returning officer, or deputy returning officer" and substituting the passage "presiding officer".

Amendment of  
s. 820—  
Questions  
which may be  
asked at polls.

**57.** Section 822 of the principal Act is amended by striking out the passage "returning officer or deputy returning officer" and substituting the passage "presiding officer".

Amendment of  
s. 822—  
Sealing box  
after voting.

**58.** Section 824 of the principal Act is amended—

(a) by striking out from paragraph I the passage "deputy returning officer" and substituting the passage "presiding officer";

Amendment of  
s. 824—  
Count of  
voting papers  
at close of  
poll.

(b) by striking out from paragraph II the passage "deputy returning officer" and substituting the passage "presiding officer";

(c) by striking out from paragraph III the passage "deputy returning officers" and substituting the passage "presiding officers";

and

(d) by striking out from paragraph V the passage "the deputy returning officer" and substituting the passage "deputy returning officers and other presiding officers".

**59.** Section 825 of the principal Act is amended—

(a) by striking out from paragraph I the passage "deputy returning officer" and substituting the passage "presiding officer";

Amendment of  
s. 825—  
Counting of  
votes.

and

(b) by striking out from paragraph III the passage "the deputy returning officer" and substituting the passage "deputy returning officers and other presiding officers".

**60.** Section 826 of the principal Act is amended by inserting in subsection (2) after the passage "a deputy returning officer" the passage "(unless he is acting in the place of the returning officer) or any other presiding officer".

Amendment of  
s. 826—  
Returning  
officers' vote.

**61.** Section 829 of the principal Act is amended—

(a) by striking out from subsection (1) the passage "returning officer and deputy returning officer" and substituting the passage "presiding officer";

Amendment of  
s. 829—  
Powers of  
presiding  
officers.

and

(b) by striking out from subsection (2) the passage "returning officer or deputy returning officer" and substituting the passage "presiding officer".

Amendment of  
s. 831—  
Provisions in  
event of  
impediments of  
a formal nature.

**62.** Section 831 of the principal Act is amended by inserting in subsection (1) after the passage “deputy returning officer”, twice occurring, in each case, the passage “or other presiding officer”.

Amendment of  
s. 835—  
Issue of  
certificate  
and voting  
papers.

**63.** Section 835 of the principal Act is amended—

- (a) by inserting in subsection (1) after the word “contents,” the passage “or deliver,”;
- and
- (b) by striking out from subsection (3) the passage “or a deputy returning officer”.

Amendment of  
s. 841—  
Directions for  
postal voting.

**64.** Section 841 of the principal Act is amended—

- (a) by inserting in paragraph V after the last word of that paragraph the passage “or deliver it, or cause it to be delivered, to the returning officer or any other presiding officer”;
- and
- (b) by inserting in paragraph VI after the passage “posted, to the returning officer” the passage “or deliver it, or cause it to be delivered, to the returning officer or any other presiding officer”.

Amendment of  
s. 846—  
Preliminary  
scrutiny of  
post voting  
papers.

**65.** Section 846 of the principal Act is amended—

- (a) by striking out from subsection (1) the passage “received by post up to the close of the poll by him” and substituting the passage “received up to the close of the poll”;
- and
- (b) by striking out from subsection (2) the passage “by post up to the close of poll and all postal voting papers which come into his possession other than by post” and substituting the passage “up to the close of poll and all postal voting papers which come into his possession after that time”.

Amendment of  
s. 854—  
Power to  
lease  
racecourse.

**66.** Section 854 of the principal Act is amended—

- (a) by striking out from paragraph (c) of subsection (2) the passage “five acres” and substituting the passage “three hectares”;
- and
- (b) by striking out from paragraph (d) of subsection (2) the passage “two acres” and substituting the passage “one hectare”.

Amendment of  
s. 858—  
Regulation  
of borrowing.

**67.** Section 858 of the principal Act is amended by striking out from paragraph II the passage “any one hundred electors” and substituting the passage “not less than ten per centum of the electors enrolled on the voters’ roll”.

Amendment of  
s. 866—  
Rights of  
fishing.

**68.** Section 866 of the principal Act is amended by striking out from subsection (2) the passage “ten dollars” and substituting the passage “two hundred dollars”.

Amendment of  
s. 875—  
Particulars of  
charges upon  
property.

**69.** Section 875 of the principal Act is amended by inserting in subsection (1) after the passage “signed by the clerk” the passage “or any other officer authorized by the council”.

70. Section 881 of the principal Act is amended by striking out from paragraph II the passage "of the terms".

Amendment of  
s. 881—  
Duty of  
Registrar-  
General to  
supply  
particulars  
to councils.

71. The fifth schedule to the principal Act is amended—

Amendment of  
fifth schedule.

- (a) by striking out Form No. 1;
  - (b) by striking out from the heading of Form No. 3 the passage "*Deputy Returning Officer*" and substituting the passage "*Presiding Officer*";
  - (c) by striking out from Form No. 3 the passage "a deputy returning officer" and substituting the passage "a presiding officer";
  - (d) by striking out from the heading of Form No. 5 the passage "*Deputy Returning Officer*" and substituting the passage "*Presiding Officer*";
- and
- (e) by striking out from Form No. 5 the passage "Deputy Returning Officer", twice occurring, and substituting, in each case, the passage "Presiding Officer".

72. The fourteenth schedule to the principal Act is amended—

Amendment of  
fourteenth  
schedule.

- (a) by striking out from Form No. 3 the passage "His Excellency the Governor has been pleased to confirm the order, and to direct that the Minister of Lands" and substituting the passage "the Minister of Lands has been pleased to confirm the order and";
- and
- (b) by striking out from Form No. 5 the passage "pursuant to the direction of His Excellency the Governor, published in the *South Australian Government Gazette* of the                      day of                      , in confirming" and substituting the passage "having confirmed".

73. The eighteenth schedule to the principal Act is amended—

Amendment of  
eighteenth  
schedule.

- (a) by striking out from the heading of Form No. 2 the passage "*Deputy Returning Officer*" and substituting the passage "*Presiding Officer*";
- and
- (b) by striking out from Form No. 2 the passage "Deputy Returning Officer", twice occurring, and substituting, in each case, the passage "Presiding Officer".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

K. D. SEAMAN, Governor